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**Comments of the National Consumer Law Center on the Draft Report
of the Energy Policy Review Commission**

The National Consumer Law Center (“NCLC”) appreciates the opportunity to comment on the draft Energy Policy Review Commission Report to the Legislature (“Report”). To provide some context for our comments, NCLC is a non-profit organization which advocates on behalf of low-income households on a broad range of consumer and energy issues. One of our staff attorneys has long held a seat on the state’s Energy Efficiency Advisory Council. NCLC is also generally familiar with utility-funded energy efficiency programs in a number of states, particularly California, where we have been an intervenor of that state’s low-income energy efficiency proceeding for the past two years. Over the past few years, we have published reports on the Stimulus-funded weatherization program¹ and on the need for increased energy efficiency investments in affordable housing.²

As comments on the Report, NCLC wishes to underscore some key points:

1. Massachusetts is unquestionably a national leader in terms of delivering effective utility-funded energy efficiency programs. As the Report itself notes, the American Council for an Energy-Efficient Economy (“ACEEE”) has twice ranked Massachusetts #1 in the country

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¹ “Low-Income Weatherization: Stimulus-Funded Program Shines But Storm Clouds Are On The Horizon” (Nov. 2012), available at: <http://www.nclc.org/issues/low-income-weatherization.html>.

² “Up The Chimney: How HUD’s Inaction Costs Taxpayers Millions And Drives Up Utility Bills For Low-Income Families.”

for its energy efficiency programs and policies. While NCLC does not prepare its own national rankings, the ACEEE rating is consistent with our own experience in dealing with energy efficiency programs around the country. In particular, we strongly believe that the Massachusetts low-income multifamily programs are the best in the country.³ Although programs always have room for improvement, we would urge the Commonwealth to be extremely cautious before considering any major changes to the existing programs as they deliver tremendous savings and benefits to consumers, as discussed immediately below.

2. Utility-funded energy efficiency programs delivered over \$6 billion in savings during the first three-year plan period and are projected to deliver almost \$9 billion in the current three-year plan period (Report, p. 30). But energy efficiency also provides a broad range of other benefits. By reducing demand, these programs make it less likely that there will be a shortage of capacity during peak periods. These programs postpone the need to build expensive new generation capacity. By reducing consumption, energy efficiency programs also reduce emissions of NO_x, SO_x, particulate matter and other pollutants and also play a substantial role in helping the state achieve its greenhouse gas reduction goals. Residential weatherization investments also result in improved health outcomes for those living in homes that receive these services.⁴ Lastly, because Massachusetts produces no natural gas, coal or oil – while energy efficiency measures are, by definition, delivered by workers within the state – energy efficiency investments keep money within the state that would otherwise flow to other states or even other countries.⁵

³ ACEEE has recently denoted the LEAN (Low-Income Energy Affordability Network) low-income multifamily program as an “exemplary” program.
<http://www.aceee.org/press/2013/03/aceee-recognizes-exemplary-energy-ef>

⁴ See “Viking Terrace Health Outcomes Study,” available at:
<http://www.mnshi.umn.edu/projects/viking.html>.

⁵ As the “Low-Income Weatherization” report, fn. 1, detailed, many local businesses benefit from investments in residential energy efficiency, including Belchertown, MA-based National Fiber, a major manufacturer of cellulose insulation.

3. Massachusetts has developed residential program delivery models that are working well. The programs delivered by LEAN⁶ are widely considered to be among the best in the country, not only by those here in Massachusetts but by low-income advocates nationwide. The MassSAVE programs also deliver important savings to consumers and help the state to meet its very ambitious energy savings goals. While we welcome any improvements that can be made, NCLC sees little reason to make any major changes in the current delivery mechanisms.

We appreciate the opportunity to submit these comments.

Submitted by:

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⁶ See fn. 3.